

JOURNAL OF THE HOUSE.

Wednesday, May 15, 2013.

Met according to adjournment at eleven o'clock A.M., with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of allegiance.

Silent Prayer.

During the session, at the request of the Mr. Vieira of Falmouth (Mr. Donato of Medford being in the Chair), the members, guests and employees stood in a moment of silence in respect to the memory of MIT Police Officer Sean Collier, who tragically lost his life in the wake of the Boston Marathon bombings, and, on this the occasion of Peace Officer's Day, all public safety officials who have given their lives in the line of duty. Officer Sean Collier.

Message from the Governor.

A message from His Excellency the Governor, recommending legislation relative to validating the date of incorporation of the town of Oxford (House, No. 3465), was filed in the office of the Clerk on Tuesday, May 14. Oxford,—incorporation date.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Guests of the House.

During the session, the Speaker declared a brief recess and introduced the State Co-champion Wellesley High School girls alpine ski team, accompanied by coach Cory Tusler. They were the guests of Representative Peisch of Wellesley. Wellesley High School girls ski team.

During the session, the Speaker declared a brief recess and introduced Revere Mayor Dan Rizzo and members of the Metro North SWAT Team, comprised of officers from the Revere, Malden, Everett and Transit Police Departments. The Speaker, on behalf of the House, commended all of officers present for their display of unselfish bravery subsequent to the tragic events at the Boston Marathon on April 15th. Revere Mayor Dan Rizzo and Metro North SWAT Team.

Ms. Reinstein of Revere then took the Chair, introduced Revere Police Chief Cafarelli, Sergeants Mason and Pressley and Patrolmen Cafarelli, Gibson, Internicola, Rose, Trovato and Turner and expressed the gratitude of the House for their heroic actions in the wake of the April 15th explosions near the finish line of the Boston Marathon. They were the guests of the Speaker and Ms. Reinstein of Revere. Revere Police Department.

Malden
Police
Department.

Mr. Fallon of Malden then took the Chair, introduced Malden Police Sergeants Correale and Cox and Patrolmen Carroll, Casaletto, Delaney, Powell and Wadland and recognized them for their unselfish commitment in protecting the citizens of the Commonwealth in the aftermath of the tragic events of April 15th.

Everett
Police
Department.

Mr. Matewsky of Everett then took the Chair, introduced Everett Police Chief Muzzle, Sergeant Zielinski and Patrolmen Burton, Crowell, Cunningham, Ditrapano, Furtardo and Hannon and praised them for their dedication in assisting in securing the safety of the citizens of Everett and the Commonwealth following the Boston Marathon bombings on April 15th.

MBTA
Police
Department.

There being no objection, Senator Petrucci addressed the House, commending Patrolmen Campbell and Thompson of the Massachusetts Bay Transportation Police Department for their participation in the heroic actions which led to securing the safety of the citizens of the Commonwealth immediately following the tragic events of April 15th.

Appointments by the Minority Leader.

The Minority Leader announced that he had made the following appointments:

Financial
Literacy
Trust
Fund.

That Mr. Michael A. Prisco of North Reading had been appointed (under Section 35QQ of Chapter 10 of the General Laws as inserted by Chapter 14 of the Acts of 2011) as his designee to the Financial Literacy Trust Fund; and

Grandparents
Raising
Grandchildren.

That Mr. John A. Lepper of Attleboro had been re-appointed (under Section 69 of Chapter 3 of the General Laws) as his designee on the Commission on the Status of Grandparents Raising Grandchildren.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

James
Callahan.

Resolutions (filed by Representatives Garlick of Needham and Winslow of Norfolk) congratulating James Callahan on receiving the Eagle Award of the Boy Scouts of America;

Matthew
McKinney.

Resolutions (filed by Representatives Garlick of Needham and Winslow of Norfolk) congratulating Matthew McKinney on receiving the Eagle Award of the Boy Scouts of America;

Parker
Wooden.

Resolutions (filed by Representatives Garlick of Needham and Winslow of Norfolk) congratulating Parker Wooden on receiving the Eagle Award of the Boy Scouts of America;

Alex
Boucher.

Resolutions (filed by Mr. Turner of Dennis) congratulating Alex Boucher on receiving the Eagle Award of the Boy Scouts of America;

Connor
Huck.

Resolutions (filed by Mr. Turner of Dennis) congratulating Connor Huck on receiving the Eagle Award of the Boy Scouts of America;

Peter
Keefe, Jr.

Resolutions (filed by Mr. Turner of Dennis) congratulating Peter Keefe, Jr., on receiving the Eagle Award of the Boy Scouts of America; and

Matthew J.
Perrino.

Resolutions (filed by Mr. Turner of Dennis) congratulating Matthew J. Perrino on receiving the Eagle Award of the Boy Scouts of America;

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension

of the rules, in each instance, on motion of Mr. Kafka of Stoughton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Ms. Balsler of Newton presented a petition (subject to Joint Rule 12) of Ruth B. Balsler for legislation to protect psychotherapy patients; and the same was referred, under Rule 24, to the committee on Rules. Psychotherapy patients.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Mr. Mariano of Quincy and Senator Keenan presented a joint petition (subject to Joint Rule 12) of Ronald Mariano and John F. Keenan for legislation to authorize the Massachusetts Water Resources Authority to convey a certain parcel of land in the city of Quincy; and the same was referred, under Rule 24, to the committee on Rules. Quincy,—land.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Cutler of Duxbury, a petition (subject to Joint Rule 12) of Josh S. Cutler relative to the calculation of interest paid by local governments in certain judicial actions. Pleadings and practices,—interest.

By Mr. Naughton of Clinton, a petition (subject to Joint Rule 12) of Harold P. Naughton, Jr., relative to the issuance of 26th Infantry Division or 26th Infantry Brigade motor vehicle registration plates. 26th Infantry,—license plate.

Severally, under Rule 24, to the committee on Rules.

Paper from the Senate.

A Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Templeton (Senate, No. 1768) (on Senate No. 1456), passed to be engrossed by Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means. Templeton,—land.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Anne M. Gobi relative to the testing and licensing requirements for operators of school buses. School bus operators.

School bus operators.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Western Massachusetts,—resources.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Resolve relative to protecting the archaeological, geological and fossil resources of western Massachusetts (House, No. 744).

Middlesex Canal Commission.

By the same member, for the same committee, on a petition, a Bill relative to the Middlesex Canal Commission (House, No. 767, changed in section 1, in line 10, by striking out the word “commissioner” and inserting in place thereof the words “administrator of the highway division”, and, in line 11, by striking out the words “highway department, ex officio” and inserting in place thereof the words “Department of Transportation”).

Mystic River commission.

By the same member, for the same committee, on a petition, a Bill establishing a Mystic River water quality commission (House, No. 785).

Severally read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Housing,—production.

By Mr. Honan of Boston, for the committee on Housing, on House, No. 1127, a Bill financing the production and preservation of housing for low and moderate income residents (House, No. 3464). Read; and referred, under Rule 17G, to the committee on Bonding, Capital Expenditures and State Assets.

Brewster Island,—leasing.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill prohibiting the leasing of certain real property known as outer Brewster Island in Boston Harbor (House, No. 655).

Storage tanks.

By the same member, for the same committee, on a petition, a Bill relative to certain tanks used for the storage of fluids (House, No. 699).

Quincy Bay,—dredging.

By the same member, for the same committee, on House, No. 656, a Bill relative to the Division of Waterways to dredge Quincy Bay (House, No. 3461).

Family camping.

By the same member, for the same committee, on House, Nos. 683 and 784, a Bill relative to protecting, preserving, and increasing access to family camping (House, No. 3462).

Agricultural preservation statutes.

By the same member, for the same committee, on House, No. 748, a Bill amending the conservation restrictions and agricultural preservation statutes (House, No. 3463).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Easton,—rent regulations.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill providing for the establishment and administration of rent regulation and control of evictions in mobile home park accommodations in the town of Easton (House, No. 1106) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Recess.

At five minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House recessed until the hour of one o'clock P.M.; and at that time the House was called to order with Mr. Donato in the Chair.

Recess.

The House thereupon took a further recess, on motion of Mr. Peterson of Grafton, until half past one o'clock; and at sixteen minutes before two o'clock the House was called to order with the Speaker in the Chair.

Engrossed Bills — Land Takings.

The engrossed Bill relative to certain parcels of land in the city of Revere (see House, No. 3336, changed and amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Revere,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 114.**[See Yea and Nay No. 114 in Supplement.]**

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

The engrossed Bill authorizing the city of Malden to convey a sewer easement over a certain portion of certain park land (see House, No. 1836, changed and amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Malden,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 115.**[See Yea and Nay No. 115 in Supplement.]**

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Engrossed Bill — State Loan.

The engrossed Bill financing improvements to the Commonwealth's transportation system (see House, No. 3379, amended) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call (Mr. Donato of Medford being in the Chair) 156 members voted in the affirmative and 0 in the negative.

Bill enacted
(state loan),—
yea and nay
No. 116.**[See Yea and Nay No. 116 in Supplement.]**

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

House bills

Second reading bills.

To include fire districts (House, No. 1858, changed); and Making corrective changes in certain laws regarding the taxation of forest, farm and recreational land (House, No. 2551); Severally were read a second time; and they were ordered to a third reading.

Order.

Next sitting.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

At twenty-three minutes before three o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.